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ABSTRACT

This case study reports on a program that permits waivers of individual rules in order to encourage local innovation. Enacted in 1989, Washington State's Schools for the 21st Century program allows participating schools and districts to request waivers from state rules believed to impede restructuring efforts. The pilot project also supplies funding for 10-day supplemental contracts for instructional staff and for special support assistance and services. This paper describes the program's political and demographic setting and discusses program development, implementation, and provisions. The paper also examines specific projects in three schools. The case study draws from a review of documents and interviews with school principals, project coordinators, state-level personnel, and business leaders. The 21st Century program represents a compromise between the governor's desire to support teacher planning time and the legislature's need to see that the extra time promotes a well-defined purpose. Project sites made little use of the waiver provision; all three sites found barriers (such as lack of funding, skepticism, and weak district support) that were more challenging than regulation. Although the waiver provisions probably heightened innovation expectations for 21st Century Schools and were useful in clarifying the role of regulation as a barrier to change, these provisions did not fundamentally shape response to the 21st Century program. (11 references) (MLH)

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CONSORTIUM FOR POLICY RESEARCH IN EDUCATION

Schools for the 21st Century Program in Washington State:

A Case Study

Patricia Fry
Susan H. Fuhrman
Richard F. Elmore

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Abstract

This case study reports on a program that permits waivers of individual rules in order to encourage local innovation. Enacted in 1989, Washington State's Schools for the 21st Century program allows participating schools and districts to request waivers from state rules believed to impede restructuring efforts. The pilot project program also supplies funding for 10-day supplemental contracts for instructional staff and for special support assistance and resources.

In the first year of the 21st Century program 21 projects were selected to participate. In 1990, 12 more projects were selected which brought the number of projects to 33. Projects, which are originally funded for at least two years, may be funded for up to six years. The legislation is due to expire in 1994.

This paper describes the political and demographic setting for the program and discusses the development, implementation and provisions of the program. The paper also examines specific projects in three schools. The study draws from a review of documents and interviews with school principals and project coordinators conducted in June 1989 and May 1990. Interviews with state-level personnel and business leaders were also conducted.

The 21st Century program represents a compromise between the governor's desire to support teacher planning time and the legislature's need to see the extra time promote a well-defined purpose. The teacher time component is highly valued by project-sites which use it for professional development and planning.

Although a well-known aspect of the legislation is the availability of waivers, project sites were making little use of the provision. Only one of three project sites visited saw state waivers as integral to program operation. All three sites found barriers—such as lack of funding, skepticism of other schools or weak district support—that were more challenging than regulation.

The waiver provisions probably heightened the expectations that 21st Century Schools would embark on ambitious innovation, and they were useful in clarifying the role regulation poses as a barrier to change as opposed to other factors. Beyond that, in the schools studied, the waiver provisions had not fundamentally shaped the response to the 21st Century program.

This paper is one of four case studies dealing with different approaches to regulation of schooling. Each case study was designed either to be used separately or in conjunction with *Takeover and Deregulation: Working Models of New State and Local Regulatory Relationships* by Susan H. Fuhrman and Richard F. Elmore.

The basic facts of the separate cases are incorporated into the analytical paper. However, the cases include little explicit analysis, and are as descriptive as possible. Therefore, the cases may be used to provoke independent analysis and discussion of regulatory issues. For information on obtaining these papers, please see the inside cover of this publication.

Readers of this case study may also be interested in another CPRE publication dealing with education in Washington State. Richard F. Elmore's *Educational Clinics in Washington State: A Case of Choice*, describes the development and implementation of a 1977 law authorizing state funding of private remedial programs for high school dropouts and at-risk students. For information on ordering CPRE reports, please see the inside cover of this publication.

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Introduction

In recent years, several states have sought to spur education improvement and innovation by offering local educators relief from rules and regulations. For example, Texas plans to give 82 schools freedom from some state regulations as part of a move to improve achievement scores in certain student groups. According to a January 1992 news article, the plan is part of an effort to "achieve excellence and equity in students' performance through reduced regulation and increased flexibility."[1]

Offering more flexibility is just one approach in a growing movement toward state differential treatment of schools and districts. Other approaches include (1) performance-based accreditation; (2) rewards and sanctions related to various levels of performance; and (3) targeted assistance to low-performing districts.[2]

The increase in state differential treatment among schools and districts raises some important questions for education policymaking. How will the programs translate into practice in local schools and districts? Will the programs actually lead to school innovation? What effects will they have on administrators, teachers, and students? How will roles and relationships among state education agencies, districts and schools be affected?

To search for answers to some of these questions the Consortium for Policy Research in Education (CPRE) has been examining differential treatment strategies in several states. CPRE has been looking at examples of state regulatory treatment ranging from state takeover of failing districts to state exemption, or blanket waivers, from whole categories of regulation.

This case study reports on the development and initial implementation of a program that permits waivers of individual rules in order to encourage local innovation. Enacted in 1989, Washington State's Schools for the 21st Century program allows participating schools and districts to request waivers from state regulations believed to impede restructuring efforts. The pilot project program also supplies funding for 10-day supplemental contracts for instructional staff, and for special support assistance and resources.

In the first year of the 21st Century program 21 projects were selected to participate. In 1990, 12 more projects were selected which brought the number of projects to 33. Projects, which are originally funded for at least two years, may be funded for up to six years. The legislation is due to expire in 1994.

The next section of this paper describes the political and demographic setting for the program; the following section discusses the development, implementation and provisions

of the program. The fourth section discusses specific projects in three schools. And the final section of the paper briefly summarizes the key points of the case study.

The study draws from a review of documents and interviews with school principals and project coordinators conducted in June 1989 and May 1990. Interviews with state-level personnel and business leaders were also conducted.

The Setting and Background

Washington is a manufacturing and service industry state with a fairly stable population profile. Nearly 14 percent of the state's 4.1 million people in 1980 were of Asian decent, with Japanese Americans forming the largest group; close to 3 percent of the state's residents were African Americans. In 1987, 5.8 percent of Washington's population received public assistance, compared to a U. S. average of 6.2 percent.

The Seattle school district is the largest in Washington (and the 80th largest in the nation), with 43,023 pupils. Enrollments in the state's schools have increased steadily since 1983. In that year, public K-12 enrollment was 736,000; by 1990, fall enrollments were over 832,000.

Washington has been faring relatively well on most measures of educational performance. At the beginning of the 1980s, close to 78 percent of its over-25 age group had attained a high school diploma, whereas the nationwide average was 66.5 percent. Nineteen percent of this group had four or more years of college (ranking the state twelfth highest in the nation), and only 1.4 percent had five years of schooling or less.[3] Per pupil expenditures in the 1990 school year were $4,940, which ranks Washington in the top third of the nation.

The current governor, Booth Gardner, has taken an active role in initiating education policy. His office originally proposed the Schools for the 21st Century legislation, and recently he has pioneered the idea of an outcomes-based system which would make most process regulations unnecessary. He has also exerted leadership at the national level, chairing both the Education Commission of the States and the National Governors' Association and bringing Washington into the National Alliance for Restructuring Education.

Like many western states, Washington has a part-time biennial citizen legislature. However, many committees continue to meet during the interim and have full-time staff. The legislature plays a reactive rather than a proactive role in education; recent major pieces of education legislation have come about as a result of court mandates or executive initiative.

The office of the superintendent of public instruction is the constitutional office responsible for administering K-12 education. The superintendent of public instruction (SPI) runs for office as a non-partisan candidate and is elected every four years. Frank "Buster" Brouillet was SPI for 16 years (1972-88). Brouillet was succeeded in January 1989 by Judith Billings.

The state board of education (SBE) is nominated and elected by local board members. Both the office of public instruction and the SBE have the authority to write

administrative code. Over time, the two entities have established separate, although overlapping, spheres of influence. The office of public instruction "concentrates on code for school operations and monitors compliance with state and federal requirements, while the SBE is concerned with policy issues."[4]

Business interests have also established a sphere of influence within the education policy sector. Led by George Weyerhauser in 1983, chief executive officers of several of the state's major corporations convened the Washington Roundtable to study critical policy areas. Education policy was one of the first issue areas studied by this group, although they dealt with fiscal issues, the budget, and management as well. Originally Roundtable members thought they could address the education issue by producing a study focusing on ways of controlling costs, and a series of recommendations; then the Roundtable could move on to other issues. Instead, it has become increasingly active in education politics, recommending larger increases in education spending than the state legislature in 1985, 1987, and 1989.

The tax structure in Washington includes a sales tax and a property tax. There is no state income tax. The resulting inelasticity has caused fiscal problems over the past 30 years, as the state's economy has alternately boomed and declined. Local education monies are chiefly the result of special local levies. In order for a local levy to pass, a 60 percent approval vote is required.

In 1977, a group of school districts filed suit against the state, charging that it was not fulfilling its constitutional obligation to provide a basic education. In its decision, the court required the legislature to define "basic education" and to fund its definition through a reliable source of tax revenue. As a result, the legislature enacted the Washington Basic Education Act and the Levy Lid Act. The Basic Education Act "defines the minimum program a school district must offer (a five percent deviation is allowed) and which the state is obligated to fund."[5] The Levy Lid Act limits special local levies to 10 percent of the state's allocation of the previous year. However, this act has been phased in slowly and all districts were not included under the 10 percent levy limitation until 1990.

In 1981, a group of school districts again filed suit against the state, claiming that the state was still not fulfilling its obligation to fully fund basic education. This case was also decided in favor of the school districts. As a result, "the following programs must be fully funded: (1) regular education for normal-range ability students, (2) vocational education, (3) handicapped education, (4) a pupil transportation program, (5) bilingual education, and (6) remedial education."[6] The court also noted that cuts in basic education funds were due in large part to the state financial emergency of 1980-81.

Development, Implementation, and Provisions of the Program

The Schools for the 21st Century legislation originated in Governor Booth Gardner's administration. The governor wanted to give teachers extra planning and in-service days within their contracts. He proposed a program to provide for additional teacher days beyond the minimum school year for students. However, there was little support, elsewhere in the executive branch or in the legislature, for providing additional time without state guidance about its use. Nor did there appear to be sufficient funds for a statewide program.

As a result, the administration crafted a program that would support extra teacher time in a subset of districts or schools. The extra time would be devoted to specific innovations that were approved by a state task force. This program became the 21st Century legislation.

The original bill put together by the governor's office provided for unlimited waivers of regulation for schools participating in the program on the theory that there should be no regulatory impediments to innovation. This idea was unacceptable to the state superintendent, and a list of acceptable potential waivers from state regulation was negotiated between the two offices. Tension between the governor's office and the SPI was apparent throughout the process of developing and passing the legislation.

The original senate bill was written by Ronn Robinson (governor's aide) and a senate staffer. The legislation, supported by the Washington Roundtable but not championed by SPI, passed the House easily but was bogged down in the senate appropriations committee. The bill would have permitted local levies of up to 20 percent. Although the 10 percent lid had been popular among educators because it forced the state to pay for its share of local education budgets, local officials sought the lid increase to accommodate growing operating expenses. The move to raise the lid was killed in the Senate because it was perceived as being a "money eater."

The Washington Education Association came on to support the bill at this point, realizing that it represented the only hope for additional education spending at the time. As a result of the WEA support, Ronn Robinson's and the majority leader's calls to individual legislators, and the governor's influence, the bill was rewritten and passed. The legislation went to conference committee and subsequently passed the House 97-0 and the Senate 37-9. However, in the process, numerous amendments were added to the legislation. The governor vetoed all amended programs which were unfunded. These included a primary block education program, a principals' academy, and an award program for teacher preparation.

The legislation, enacted in 1987, authorized the establishment of the 21st Century program and provided for 21 projects in the first year. Projects could be at the school or district level and could include innovations already underway prior to the legislation. Schools receive funding from the state to implement their projects as well as to fund 10 additional contract days. First-year funding was pegged at $2.4 million. In 1990, the program was expanded to include 12 projects in addition to the original 21. This was not entirely a victory for the governor, however, as he wanted to add 21 more projects. There were no plans to further increase the number of projects. The projects, initially funded for 2 years may be extended for up to six years.

There are three main components of the 21st Century legislation. First, funding is available to offer school employees supplemental contracts for 10 additional days beyond the 180-day school year. Second, resources and special support are available to assist in implementation. For example, special meetings are held, and an electronic conferencing network is available to project staff. Third, projects may be granted waivers of certain state statutes and administrative rules if they impede implementation of a proposed program.

A 10-member 21st Century Task Force was appointed, consisting of members of the education community. Legislative and executive branch officials were appointed as ex-officio members. The responsibilities of the task force included the development of the application process, review of all applications, and recommendations to the state board regarding the final selection of school projects. The state board had the final authority to select projects as well as monitor and evaluate the selected projects during the six-year program. The SPI administered the program and distributed grant funding.

In December 1987, potential applicants for the first round of grants were provided with copies of the authorizing legislation, administrative rules, an explanatory bulletin, and application materials. Applications were received until April 27, 1988. There were 84 districts represented in the original 135 proposals which came from 51 elementary schools, 18 middle schools, 31 high schools, 16 full districts, and 19 other combinations or consortia. State department staff members screened applications for completeness and sufficiency of their evaluation plans. Copies of the applications were then distributed to members of the Task Force.

Task Force members met for three days to complete the initial screening. Applicants were selected for further consideration by focusing on the quality of the program rather than the cost. The number of proposals was narrowed down from 135 to 31 at this meeting. Then the Task Force conducted interviews with representatives from each of the 31 potential sites. The number of proposals was narrowed to 21 through this process, and this was the final recommendation to the board of education. On June 8, 1988, the board reviewed the recommendation of the task force and adopted the 21 projects.

Despite the number of applications, districts did have some concerns about the program. Some schools, seeing the conflict between the governor and the SPI, were

concerned about continued support from the state if they were selected as projects. Schools have also been concerned about the stability of funding and legislative backing over time.

The appropriation from the 1987 legislature was $1,722,000 for the 1988-89 school year. Since project requests exceeded the amount of funding available, funds were designated to cover 80 percent of the cost of additional staff costs. The remaining 20 percent was carried forward to the next year's budget. Each project received an equal proportional reduction.

First-year grants ranged from $60,000 to $200,000 depending primarily on the number of teachers whose contracts would be extended. The geographic distribution of the adopted proposals was 33 percent in Eastern Washington and 67 percent in Western Washington.

In 1990, 101 proposals were submitted for the second round of competition; 21 finalists were brought in for interviews and the 12 additional projects were selected.

According to the state board, the 33 projects fall into eight areas: (1) shared decision-making; (2) activities, such as nongraded programs, that change traditional grade level and promotion practices; (3) integrated curriculum; (4) the awarding of credit based on learner outcomes rather than seat time; (5) alternative means of student assessment; (6) year-round programs and other alterations in the length of day and year; (7) staff-designed learning environments; and (8) small learning communities in large schools.

The major attraction for schools is the extra 10 days.[7] These extra contract days have proved to be invaluable for providing professional development on a schoolwide basis and for extra planning time. According to an SPI program coordinator, although many schools would like more planning and training time during the school year, projects have treasured the opportunity to create weekend or summer sessions for project development and implementation.

21st Century Schools and Regulatory Flexibility

The legislation also authorized the state board and the superintendent of public instruction to grant waivers of state statutes or administrative rules to pilot projects. There has been some controversy regarding the legality of granting waivers from state statute. The issue is whether or not the legislature can grant the state board of education the authority to waive state statutes—a power traditionally vested only in the legislature. Therefore, waivers were restricted to regulation for the initial period of the program.

Waivers may be related to "the length of the school year, teacher contact hour requirements, program hour offerings, student to teacher ratios, salary lid compliance requirements, the commingling of funds appropriated by the legislature on a categorical

basis for such programs as, but not limited to, highly capable students, transitional bilingual instruction, and learning assistance," and other rules needed for implementation of a project.[8] Projects may also ask the state to request waivers from the U.S. Department of Education or other federal agencies necessary to the project, but they are not guaranteed that the waiver will be granted. In fact, at the time of this writing, no federal waivers had been granted.[9] All federal waiver requests were related to Chapter 1 regulations.

Many education reformers cite increased freedom from regulation as a catalyst for change. However, in Washington, state regulatory flexibility did not play on a prominent part in reform plans. As a 21st Century Task Force member said, "What people really coveted was the 10 days; it was the time, not the waivers." The evidence on waiver requests supports his judgement. Of the initial 21 projects, only six requested 15 waivers from state regulations, 9 of which were granted. The approved waivers allowed were:

- one exemption from basic education allocation entitlement requirements;
- one from total program-hour offering rules;
- one from basic skills rules;
- one from work skills requirements;
- two from minimum classroom teacher contact hours;
- one from the minimum 180-day school year;
- one from supplemental program and basic education requirements; and
- one from rules defining high school credit.

Eleven of the 33 projects now operating have been granted waivers in one or more of 13 categories. The most common concerned regulations governing total program hour offerings for basic skills and work skills (5 projects); and classroom teacher student contact hours (5 projects).[10]

Many participants believe that projects find ways to work within existing regulation, perhaps because Washington State is not highly regulatory. An SPI coordinator said, "SPI has not been highly directive; they have state testing, student learning objectives, and a mandated self-study process in each district, but it doesn't specify how to do it." A Task Force member said, "There aren't many state rules. What's bargained locally and local board rules can be more cumbersome than state rules." Another member believed that the state was not seen as a threat to districts, having little enforcement power as well as relatively unrestrictive rules: "The state has no real compliance problems, and most state agency attention is on tiny school districts. So essentially the SPI is fairly irrelevant to most districts." An association leader said that,

> I'm inclined to believe the really troublesome mandates are beyond the reach of (rule-by-rule) waivers, that the problem is the cumulative effect of school laws. . . . If there were to be fundamental deregulation, it would involve basic things like

graduation requirements and the length of the school year and that would be very difficult in Washington because all that is tied to the funding formula.

A business leader wondered whether lack of interest in waivers reflected a flouting of rules in practice: "Some districts may be ignoring regulation; keeping two sets of books." Several leaders, including the governor, believed that waiver requests would increase over time as schools experimented with doing things differently and deviated more from traditional procedures. Although some suggested that the SPI's initial hesitancy about the program and its strict interpretation of the legislation contributed to local reticence in requesting waivers, most said that regulation—or at least the kind that is amenable to rule-by-rule exemptions—is not a major factor in Washington.

A Task Force member believed that the waiver provision was an important component of the legislation nonetheless. Because it was there, it opened horizons for planning and gave momentum to changes schools were already contemplating. the member explained, "So many of the projects would have happened, but not as well without the extra time available, especially with union rules re time, and without the option to waive; the option is more important than whether or not it is exercised."

Response to the Program in Three 21st Century Schools

In order to get a closer look at local response to the 21st Century program CPRE researchers visited several Washington schools.[11] This section reports their findings at three schools: one each at the secondary, middle, and elementary school levels. For reasons of confidentiality, the names of the schools have been changed.

Smithtown High School

The community of Smithtown school district is a suburban area outside of Seattle, a "bedroom community." The area has had a rapid growth in assessed valuation, and in the past five years, a significant increase in the number of apartment and multi-residential complexes and developments. There has been an increase of the minority population in the area (from 3 percent to 15 percent). The district has 2 high schools, 2 middle schools and 10 elementary schools. Smithtown High School services the eastern portion of the district, and provides extensive special education services. In 1989, the faculty consisted of 3 full-time administrators, 60 full-time and 19 part-time teachers, and 5 full-time counselors.

The 21st Century project proposal submitted by Smithtown High School was developed by teachers with the support of staff and administration. Input was given by staff, students, parent representatives, business and education community members, and Smithtown district administrators. As program materials describe it, the project is . . . a five-to-six-year progressive process of major curriculum revision which will involve new course requirements, mini-units, and interdisciplinary courses. At all grade levels the curriculum will incorporate issues of international and global significance.

There are four developmental phases in the new curriculum, expressed as grade-level themes: the individual (9th grade), community (10th), Pacific Rim (11th), and global (12th). Each phase involves special project-oriented learning experiences, trips, an emphasis on problem solving and group work, mini-units, and interdisciplinary courses. Ninth graders, focusing on the individual, have an integrated block of English and social studies, with more subjects scheduled to come on board. Sophomore English incorporates the 10th grade theme of community; students have a 20-hour community service requirement. Juniors will need to address the Pacific Rim theme through one of their regular subjects; each department will have at least one offering that will meet the requirement. Seniors will have an humanities course focused on an internal theme, an adult survival skills course, and a culminating senior project. Senior students will have additional opportunities to take classes at the local community college and vocational technical schools.

The project received (in the first year) $260,000: $170,000 for the 10 days of extra time for staff (115-120 people), and $60,000 for supplementary assistance. The extra contract days were used for a 2-day retreat, and a 1-day year-end evaluation as well as after-school conferences. The district pays for the release time for the two project coordinators (half time) and the eight project leaders (4th period, daily), which includes 2.6 FTE at about $80,000. The district also provides about $15,000 for transportation of students for a one-day-a-week early dismissal.

The major planning time for teachers is not the before- and after-school state-paid days, but weekly Tuesday afternoons, when the students are sent home at 11:30 AM. The state waivers the project received concern contact time with students and make the Tuesday early release possible. However, the Tuesday afternoon off was initially a real problem with parents who viewed it as lost instructional time and wanted proof of results for that trade off. One response from the school has been to show parents that Washington's 54-minute periods are longer than those of other states so that even with Tuesdays off, they match instructional time elsewhere.

Smithtown also requested a waiver of class size requirements, so faculty could cover classes (with fewer staff) while the leadership team and project leaders met. However, they were not able to get a waiver of class size limits which represents a statutory, not a regulatory, requirement, so they had to hire replacements for leadership team time. This is funded by the district.

The union also agreed to waivers. Specifically, it agreed to waive contract day requirements concerning a continuous eight-hour day for teachers. The project wanted the flexibility to break up the teacher day—eg., some morning time and some evening time—in order to implement changes in building use, such as split days and evening courses. First, the union was asked to waive the requirement for all teachers who volunteered and then for all teachers in the school.

The problems Smithtown High School has faced are not the kind that can be solved by waivers of individual regulations. Project leaders felt hindered by the University system's admission requirements which put a premium on Carnegie units and SAT scores. They also worry about the transition of middle school students into the school's ninth-grade integrated program and have spent time working out articulation issues. Parent hesitancy about change, such as the Tuesday early release, has also been a factor. The major impediment cited by project leaders is funding alternative staffing patterns. In order to provide coordination and monitoring for special programs, such as the student community service requirement, more staff is needed. But, the state funding formula allocates aid based on an expected student/teacher ratio and enrollment. According to a program coordinator,

> The problem really is not the state rules and regulations. The problem is really state financing. . . For example, one of the things we asked for was payment on the basis of (an actual) staffing ratio. When you're going to try to do a different

> kind of job, you may need more people to do that job. Well, the...granted the waiver, but the waiver does no good if the state is not willing to appropriate the funds for the additional staffing. So, this whole business of waivers is, in the long run, meaningless. If it is going to cost the state any more than they originally intended to spend, then they'll grant them, but they won't fund them. So it makes no difference.

As the project gets underway, more and more teachers want to be involved in leadership and planning during the school year. But the grant does not expand accordingly. As a coordinator expressed it,

> The problem is, of course, that once people began to get involved and interested, they discovered that more people in their own schools even, were interested than they had originally thought. But the state has not been willing to allocate any more funds. Which means that if you include more people than the number of people originally proposed in your grant, you're cutting down an allocation of any pay per person to spread it out over a greater number of people. So people are sort of trapped in a kind of financial bind.

Furthermore, school staff know that policymakers want to see results for the money they have expended. And the results will have to be expressed in terms of test scores at some point. Such pressure may lead to conflict between the legislature and schools exploring a variety of improvements not necessarily captured by test scores.

Carver Middle School

Another 21st Century school is Carver Middle School. This school is located in a suburb of Seattle, and has 700 students in grades 7 and 8. The district has 5 high schools, 4 middle schools, and 20 elementary schools. It is a middle-class community, with 17 percent of the school population eligible for Chapter 1 money.

Carver's project is outcomes-based learning, patterned on the Mastery Learning Project in Johnson City, New York. The instructional process is based on a clarity of establishing clear goals: both the teachers and the students know what outcomes are expected and how they will be assessed. There is a tight alignment between outcomes and the classroom activities.

Because of the guiding philosophy—which posits that all students can learn although at varying rates—students are not graded on their classroom activities. They receive a plus for all completed assignments. The only grades given are for tests; and the students must earn an "A" or "B" on their tests, taking additional chances to earn those grades if necessary.

The school has been organized into interdisciplinary teams with a group of teachers responsible for about 100 students. Teams consist of English, social studies, math, and science teachers and at certain times of the day can also include faculty from other disciplines. Ideally, teachers will teach four core subject classes and one elective class in a day. In a daily 40-minute block called the Master Enrichment (ME) Period, students report to their team teaching group for enrichment, extra preparation and/or assistance. Students may receive extra instruction from faculty members or take second tests at this time also. An enrichment project is required for a student to receive an "A" for the course; it can require group research or individual work.

The second year of this project focused on "reality therapy," and student responsibility in the learning process. Within this paradigm, teachers set very clear expectations for their students and students take responsibility for making decisions and meeting these expectations. Student control over their own progress is substituted for external reward and punishment.

With 21st Century project support, the faculty of Carver spent 15 days training with teachers and the superintendent from Johnson City in outcomes-based education. They spent an additional 5 days training in reality therapy. Also a school counselor sought certification in reality therapy in order to help teachers and students with the day-to-day problems involved with such a shift.

Staff spent considerable time on curriculum development during the first two years of the project. This has entailed the establishment of essential learnings or outcomes for each subject area, development of first and second tests to measure these outcomes, development of corrective activities for students who will take a second test, and development of enrichment activities. The project then planned to focus more on higher-level thinking.

Carver Middle School did not seek any waivers of state regulation during its first project years. To provide time for teachers to work on curriculum revision during the school year, the students were brought in late or released early twice a month. So that this practice would not bridge the state student contact hour requirements, the school added 10 minutes to each day. In addition, while the teacher contract calls for teachers to arrive one half-hour before the students and stay one half-hour after they leave, sometimes teachers stay longer beyond the school day to participate in the school's study club. The principal has then permitted teachers to come in closer to the arrival of students the next morning. She calls it flex time. As she puts it, "We're always pushing on the edges and we just kind of figure out a way to do it." However, she does have a sense that participation in the 21st Century program should lead to the identification of regulatory barriers. When asked if she believed no rules stood in her way, the principal replied, "No—that's why maybe we should be more innovative."

Although regulation was not a barrier at Carver, other problems surfaced to slow the school's progress. One was money. Curriculum writing was supposed to go faster,

according to a staff member, "that's not happening as fast as we might have hoped for or thought. That takes a little more process and time. And we don't have large amounts of money from the district. Our money went essentially for the training, and the curriculum writing; we've had to sort of do what we can with little bits and pieces.

Another issue is the skepticism of faculty in the high school Carver students move on to. The high school is seen as resistant to the middle school's approach to student mastery. According to a staff person:

> And that's the part that the high school teachers are looking at us and saying well, what do you mean you're giving a second chance on a test - that's not fair and you're lowering your standards. And we're saying, well, what do we want. We want kids to get the learning. And we know that some kids have a different rate of learning than others. And so of course you would add second chances. So the whole thing, it's a different way of looking at how we make decisions.

Despite these problems, the principal was very pleased with the school's progress, the interest of other schools throughout the state in Carver's approach and the state's flexible and supportive attitude. She said, "I feel really connected—I mean I feel really comfortable calling and talking to (the state's project director) or asking questions." The principal also appreciated the computer network for 21st Century schools. However, no other form of technical assistance was cited by respondents at this school.

Hillside Elementary

Hillside is a K-5 elementary school in Seattle with two classes per grade level. It began to experiment with reduced class size and skill groupings six to seven years before the 21st Century program was established. For Hillside, becoming a project school meant extra money and time to continue its programs as well as the chance to request waivers from state regulations.

According to the principal who led the school through its initial innovations, the project began with a vision of an ideal school. The first concrete steps included scheduling reading for the same hour every morning throughout the school. After a while, they began grouping the reading classes by skill level rather than by grade level. Pleased with the results, the staff expanded the same concept to math the next year.

By the third year, reading and math were in place but the lowest-achieving and special education students were not benefitting. The staff created a plan to lower class size significantly by putting teachers of categorical programs in charge of regular classes and creating more classes. The plan ran into trouble with the district, which needed considerable persuasion to grant approval, and with the state which worried about

bridging federal program rules. While various negotiations were taking place, the program continued, and, according to the principal, test scores rose dramatically.

As a result of the improving performance, the next year the school lost a Chapter 1 teacher and state compensatory education support. Because students were not being labelled in traditional ways, the school also lost special education funds. The state agreed to compensate with a $25,000 grant if the district matched it. The new assistant superintendent found money in the magnet budget to match the state funds, but at the end of that school year, the funds were no longer available. To make up for a potential loss of four positions, the principal got a one-year discretionary grant from the state department.

When it was named a 21st Century school, Hillside continued the same multi-age grouping and smaller classes and included more focus on technology and global issues and interaction with universities. After considerable investigation, the principal determined that the constraints on the school's grouping practices came from local decisions, not federal rules and regulations.

By the end of the first year of 21st Century funding, the class sizes had risen back to earlier levels (28 in intermediate and 26 primary). The teachers agreed to the larger classes, as long as they would have more time to plan. Consequently, the day was extended by ten minutes and periodic early dismissals were planned. During this whole period, the union was very supportive because the staff designed the program. The national limelight the school and its principal attracted aroused some professional jealousy from other schools, but because of the 21st Century program and support from the Matsushita Foundation, the principal got the opportunity to work with other district schools and make people more aware of Hillside's approach.

Just as the 21st Century program was entering its second year, Hillside's principal departed. The new principal was a former district official, and it was hoped that she could smooth over some of the difficulties between the school and the district. The departing principal thought that the 21st Century program made the state more accepting of innovation and less rule-bound than the district; she predicted that the state would bring pressure on the district to be more supportive of experimentation.

Conclusion

The Schools for the 21st Century program provides support for locally designed innovation in 33 sites throughout the state. The program is a six-year pilot project which seeks to develop models that can be adapted for other sites. It represents a compromise between the governor's desire to support teacher planning time and the legislature's need to see the extra time promote a well-defined purpose. The teacher time component is highly valued by project-sites which use it for professional development and planning.

Although a well-known aspect of the legislation is the availability of waivers, project sites were making little use of the provision. Washington educators and policymakers suggested that the lack of interest may reflect a range of factors, including the possibility that rules were already being ignored in practice and the absence of experience with innovation on the part of project sites. Many observers believe that Washington's rules are not particularly restrictive and that impediments may stem more from the finance system or the interaction of rules and tradition. In addition, a rule-by-rule waiver upon request program such as Washington's may not be attractive to school personnel who are troubled more by the interaction of rules than by individual rules.

Only one of three project sites visited saw state waivers as integral to program operation. All three sites found barriers—such as lack of funding, skepticism of other schools or weak district support—that were more challenging than regulation. The waiver provisions probably heightened the expectations that 21st Century Schools would embark on ambitious innovation, and they were useful in clarifying the role regulation poses as a barrier to change as opposed to other factors. Beyond that, in the schools studied, the waiver provisions had not fundamentally shaped the response to the 21st Century program.

Notes

1. "Texas: Schools Given Freedom to Improve Achievement," *Daily Report Card, The National Update on America's Education Goals*, On-line newsletter, (Falls Church, VA: American Political Network, Inc., 24 January 1992).

2. For a full discussion of state approaches to treating districts differently, see Susan H. Fuhrman (with Patti Fry), *Diversity Amidst Standardization: State Differential Treatment of Districts* (New Brunswick, NJ: Rutgers University, Center for Policy Research in Education, 1989). State differential treatment programs are also explored in an analytic paper, *Takeover and Deregulation: Working Models of New State and Local Regulatory Relationships* (New Brunswick, NJ: Rutgers University, Consortium for Policy Research in Education, 1992). The paper draws from this study of Washington's 21st Century program and three additional studies also published by CPRE: *South Carolina's Flexibility through Deregulation Program: A Case Study*, *Kentucky's Program for Educationally Deficient School Districts: A Case Study*, and *State Takeover of a Local School District in New Jersey: A Case Study*.

3. Background information on the state was derived from three sources: (1) Sharon A. Bobbitt and Frank H. Johnson, *Key Statistics for Public and Private Elementary and Secondary Education: School Year 1990-91*, National Center for Education Statistics Survey Report (Washington, DC: Office of Educational Research and Improvement, December 1990); (2) National Center for Education Statistics, E.D. TABS: *Public Elementary and Secondary State Aggregate Data, by State, for School Year 1989-90 and Fiscal Year 1989*, (Washington, DC: Office of Educational Research and Improvement, April 1991); and (3) Edith R. Hornor, ed., *Almanac of the 50 States: Basic Data Profiles with Comparative Tables* (Palo Alto, CA: Information Publications, 1990).

4. Washington Roundtable, *Educational Governance and Finance in the State of Washington*, (Seattle, WA: Author, 1984), 13.

5. Washington Roundtable, *Educational Governance and Finance*, 11.

6. Washington Roundtable, *Educational Governance and Finance*, 10.

7. Washington State Board of Education, *Schools for the Twenty-First Century: A Report to the Washington State Legislature* (Olympia, WA: Author, 1991), 1.

8. Washington State Senate, *Senate Bill 991*, (1987): S 991, Sec. 109.

9. Washington State Board of Education, *Schools for the Twenty-First Century*, 10.

10. Washington State Board of Education, *Schools for the Twenty-First Century*, 9.

11. The information in this section is drawn largely from interviews with school principals and project coordinators in June, 1989 and again in May, 1990.